

EXHIBIT

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF LUIS CARBONELL

COMES NOW the declarant, Luis Carbonell, duly sworn upon oath, deposes and testifies as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Affidavit are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was present in New York City when the terrorist attacks of the World Trade Center Towers occurred. At the time of these horrific attacks, I was a server at the Tallships Restaurant located in the Marriott Hotel at 3 WTC. Attached as Exhibit B is a true and correct copy of my proof of employment with Marriott International, Inc.

4. I arrived at work on the morning of 9/11. When the first plane struck the building, I was inside World Trade Center Tower One waiting for the payroll office to open.

5. When American Airlines Flight 11 struck the North Tower, I was standing in the employee's locker room drinking a cup of coffee. I felt the building tremble. I immediately ran towards the nearest exit which was the hotel lobby. However, a guard turned me away from the

lobby exit as it was against hotel policy for employees to use the lobby exits. I then ran in another direction behind a small group of dishwashers. The dishwashers and I tried exiting onto the plaza, but another police officer turned us back. In retrospect, that officer may have saved our lives as cascading debris from the crashed airplane and the building began falling into that plaza area.

6. After waiting around for ten minutes or more, a crowd gathered on the concourse level of the Trade Center Complex. As we tried to exit onto Liberty Street, a police officer turned us back saying, "Everything is clear! It's safe to return to your areas!" We then re-entered the concourse only to encounter a mass exodus of hotel guests, tower residents, and other visitors. The conflicting instructions added to the state of pandemonium. People pushed and shoved as they tried to find a way out. As a long term employee at the World Trade Center, I knew of various exits, but I could not leave through any of them at that time.

7. I returned to the Liberty Street exit to escape the building, and a huge crowd of people pushed me out of the way, which causing me to fall abruptly to the floor of the building. I hit my left knee as I tried to save myself from hitting the ground. After I hit the ground, people trampled over me in their attempt to escape the carnage, which caused me to suffer injuries to my finger, neck, knee, and ankle. I finally stood up and ran out of the building. A police officer directed me towards the World Financial Center. As I moved in that direction, the sky above me became black with smoke and debris. I thought I had blacked out or something, but it was the debris from the collapse of the South Tower. I tried not to panic as I attempted to leave the area in almost zero-visibility conditions. After working almost twenty years at Marriott, I knew I had to proceed with caution to escape the area in the smoke-filled air as there were large cement plant holders decorating the west side highway that would be hazardous. Everyone else around me continued to run and bump into one another. I walked slowly but intently until I reached a clearing.

8. In the course of the attack and my escape, I witnessed atrocities beyond the imagination of the average citizen. The situation could only be compared to a war zone. I was going about my everyday life in a peaceful manner when we were brutally attacked by terrorists and my life was altered forever.

9. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001: a sprained left knee, a sprained right ankle, cervical disc herniations at C5-C6 and C6-C7, a sprained shoulder, and a broken left finger with tendon detachment that required surgery to repair. My neck injury caused me to experience numbness in my arm and significant pain in my hips. Due to my inhalation of large amounts of dust and debris on 9/11, I also suffered from respiratory issues after my escape, including asthma, bronchitis, sinusitis, and rhinitis.

10. I further suffered, and continue to suffer, severe emotional distress as a result of these terrorist attacks. I suffered and continue to suffer from anxiety and bouts of depression due to these traumatic events almost daily, triggered by certain smells, sounds and views. I have been diagnosed with a major depressive disorder with recurrence, post-traumatic stress disorder, an anxiety disorder, sleep disorder and a panic disorder. The horrific events that I witnessed on 9/11 directly caused all of the above conditions, which continue to this day.

11. I sought and continue to seek medical attention on a monthly basis for my injuries caused by these terrorist attacks. Attached as Exhibit C to this Declaration is a true and correct copy of my select relevant medical records related to the treatment that I received for my physical and emotional injuries following the September 11, 2001 terrorist attacks.

12. I previously pursued a claim (Claim Number VCF 0013257) through the September 11th Victim Compensation Fund specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 30th day of September 2020.

A handwritten signature in black ink, appearing to read "Luis Carbonell", is written over a horizontal line.

Declarant LUIS CARBONELL

**EXHIBITS
FILED
UNDER SEAL
(ECF No.
5716)**